

REMARKS

Claims 1-76, 78-80, and 82-99 are pending in this application. The Advisory Action mailed February 28, 2005 rejected claims 1-76, 78-80, and 82-99. Claims 1, 17, 36, 53, 61, 67, 73, 78, 86, and 97 have been amended in the present response to clarify that which is the claimed invention. Claim 82 was amended merely to correct an informality. No new matter has been added by this amendment. For the reasons discussed in detail below, Applicants submit that the pending claims are patentable over the references cited by the Examiner. Applicants respectfully request that the Examiner pass this application to issue.

Rejection of Claims Under 35 U.S.C. § 103

The Final Office Action rejected claims 1-14, 16-21, 23-25, 29-30, 36, 39-40, 42, 48-50, 53-57, 61-63, 65-70, 73-76, 78-80, 84-89, and 94-97 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,420,866 to Wasilewski ("Wasilewski") in view of U.S. Patent No. 5,161,193 to Lampson et al. ("Lampson"). In addition, the Advisory Action argues that if a packet header contains information that shows the format of the first portion of data, it would be within the scope of claim 1. The Advisory Action further argues that "Lampson teaches the inspection of a packet header to see if a first portion of the data is formatted as an outbound packet, inbound packet, or unencrypted packet. If a first portion of data is of a particular format then the first portion of data is encrypted." Applicants respectfully traverse this rejection.

Each of the independent claims (claims 1, 17, 36, 53, 61, 67, 73, 78, 86, and 97) have been amended to clarify that the present invention does not make the encryption determination based on an inspection of the packet header. For example, as recited in amended claim 1, an encrypter is configured to determine if the first portion of the data is to be encrypted by inspecting the first portion of the data, the inspection being independent of a packet header. Thus, as the amended claim 1 makes clear, the present invention inspects the first portion of the data, and not a packet header to determine whether to encrypt the first portion. Amended claims 17, 36, 53, 61, 67, 73, 78, 86, and 97 include similar, clarifications, albeit different. For example, amended claim 73 makes clear that the encrypter is configured to determine if one of the portions of the data is to be

encrypted based on a format of the one portion of the data, wherein the format is determined based on an inspection of the one portion of the data. Because Lampson inspects a packet header to see the format of the one portion of the data, there is a level of indirection in Lampson that clearly does not suggest or disclose the present invention as claimed by claim 73. Thus, for at least these reasons, Lampson does not make claims 1, 17, 36, 53, 61, 67, 73, 78, 86, and 97 obvious.

In regard to claims 2-14, 16, and 48-50; claims 18-21, 23-25, and 29-30; claims 39-40 and 42; claims 54-57; claims 62-63 and 65-66; claims 68-70; claims 74-76; claims 79-80 and 84-85; and claims 87-89 and 94-96, which depend from independent claims 1, 17, 36, 53, 61, 67, 73, and 86, respectively, these claims are allowable for at least the same reasons discussed above with respect to the independent claims and should be allowed to issue.

The Office Action further rejected claims 15, 26-28, 31-35, 37-38, 43-47, 52, 64, 71-72, 82-83, 90-93, and 99 under 35 U.S.C. § 103(a) as being unpatentable over Wasilewski and Lampson and in further view of U.S. Patent No. 5,991,399 to Graunke et al. ("Graunke"). The Office Action also rejected claims 22, 41, 51, and 58-59 under 35 U.S.C. § 103(a) as being unpatentable over Wasilewski and Lampson and in further view of Graunke and U.S. Patent No. 6,449,651 to Dorfman et al. The Office Action rejected claim 98 under 35 U.S.C. § 103(a) as being unpatentable over Wasilewski and Lampson and in further view of U.S. Patent No. 5,678,002 to Fawcett et al. Applicants respectfully traverse these rejections. Applicants submit that these dependent claims are allowable for at least substantially the same reasons presented above with respect to the independent claims from which they depend, and therefore should also be allowed to issue.

CONCLUSION

By the foregoing explanations, Applicants believe that this response has responded fully to all of the concerns expressed in the Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone applicant's attorney at the number listed below.

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Respectfully submitted,

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